## LOUISVILLE METRO COUNCIL COMMITTEE MINUTES

**Ethics Ad Hoc Meeting** Tuesday, April 7, 2009 5:00 P.M. Third Floor, City Hall

Present: Chair: **President Tandy** 

> Members: CM Hamilton, CM Fleming, CM Kramer, CM Blackwell,

CM Butler, CM Peden, CM Johnson, **CM Benson and CM Brent Ackerson** 

Also Present: **CM Welch** 

Absent; CM Downard (Excused)

Chairman Tandy began the meeting by introducing the members and non-members of the committee that were present. A quorum was established. The purpose for today is to discuss the two proposed ordinances and any amendments that were to be made to either one. The final vote is to be on April 21, 2009 and be sent to full Committee for the April 23, 2009 Council Meeting to be voted on.

After a short discussion, without objection the Committee decided this meeting would be like a conference committee/work group until something could be decided regarding the following two ordinances and possibly combine them into one that everyone can live with.

Possible amendments for both ordinances were discussed as follows:

- Butler/Ackerson
  - o Page 5 I 3 Adding Or transferring a list an or listserve
  - o Page 5 I 4 Adding or Transfer a web site domain name
  - o Page 11 C Striking language about how the members were staggered
  - Page 12 Strike language about Initial appointment of voting members
  - o Page 12 Adding Members of the Ethics Commission shall not be an immediate family member of a Metro Officer
  - Page 16 a typo under (D) each of the individuals instead of each in the individuals
  - Page 17 Added a section 1 regarding a confidentiality waver
  - Page 18 (P) Adding outside council
  - o Page 19 (R) any evidence shall be presented against was changed to any evidence presented
  - o Page 19 21.07 (A) and (B) Added the word be
  - o 21.08 Appeals stricken original language and added new language
  - Applicable law refers to whatever the statutes provide
- Fleming
  - o Section 21.10 (R) should be 60 instead of 180 in the Fleming Ordinance

CM Johnson was excused from the remainder of the Meeting at 5:40 p.m.

## COMPARISON OF ETHICS ORDINANCES Side by Side Comparison

- Comparison of both ordinance
  - Under Interest or officer was added agreed upon by CM Butler
  - o Difference between principal and officer a principal may not be an officer
  - Definition of Family or Immediate Family was not agreed upon

    - Striking the words living in the Metro Officer's household was agreed upon by CM
    - The Purpose of this definition is going to be referred to in financial benefit and conflict of interest

 The extended definition of family comes from the Kentucky Revised Statutes (KRS 11 (A).010)

Per William Warner, Assistant County Attorney, now the only review a person has is appealing to the Circuit Court as to the due process not the substance.

Per Chairman Tandy, Councilwoman Butler and Councilman Fleming should get together and work on the ordinances to come up with one document to be discussed.

## **AGENDA**

O-36-03-09 AN ORDINANCE AMENDING CHAPTER 21 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES [LMCO] RELATING TO ETHICS. (BUTLER - ACKERSON)

Status: In-Committee

**Committee:** Ethics AD Hoc

Primary Sponsor: Marianne Butler Jon Ackerson

Discussion: This item was Held in Committee.

O-43-03-09 AN ORDINANCE AMENDING CHAPTER 21 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES [LMCO] RELATING TO ETHICS . (FLEMING)

Status: In-Committee

**Committee:** Ethics AD Hoc **Primary Sponsor:** Kenneth C. Fleming

Discussion: This item was Held in Committee.

Without objection the meeting Adjourned at 6:15 P.M.

\*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on April 9, 2009.

**KQG**